

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

PRINCE ALLEN MARSH,

Plaintiff,

V.

DELAWARE STATE UNIVERSITY, DR.  
CHARLES SMITH, DREXEL BALL, KAY  
MOSES, and LOWAN PITT,

Defendant.

CIVIL ACTION NO. 05-087 (JJF)

TRIAL BY JURY REQUESTED

**MOTION BY DEFENDANTS FOR JUDGMENT  
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 56(b)**

Defendants, Delaware State University, Dr. Charles Smith, Drexel Ball, Kay Moses and Lowan Pitt, move for judgment in their favor and against Plaintiff, Prince Allen Marsh, pursuant to Federal Rule of Civil Procedure 56(b) and for the reasons set forth within the Opening Brief filed contemporaneously herewith.

Respectfully submitted,

**WHITE AND WILLIAMS LLP**

By:

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*Attorneys for Defendants*

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**CERTIFICATE OF SERVICE**

I, Marc S. Casarino, Esquire, do hereby certify that on this 30<sup>th</sup> day of November, 2006,  
two (2) copies of the foregoing **Motion by Defendants for Judgment Pursuant to Federal  
Rule of Civil Procedure 56(b)** were delivered by U.S. mail to the following party:

Prince Allen Marsh  
434 Simpson Place  
Peekskill, NY 10566

Respectfully submitted,

**WHITE AND WILLIAMS LLP**

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